

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Ameren Transmission Company of Illinois	:	
	:	
Petition for a Certificate of Public Convenience	:	
and Necessity, pursuant to Section 8-406.1 of	:	
the Illinois Public Utilities Act, and an Order	:	
pursuant to Section 8-503 of the Public Utilities	:	No. 12-0598
Act, to Construct, Operate and Maintain a New	:	
High Voltage Electric Service Line and Related	:	
Facilities in the Counties of Adams, Brown, Cass,	:	
Champaign, Christian, Clark, Coles, Edgar,	:	
Fulton, Macon, Montgomery, Morgan, Moultrie,	:	
Pike, Sangamon, Schuyler, Scott, and Shelby,	:	
Illinois.	:	

INITIAL BRIEF ON EXCEPTIONS OF THE
MOULTRIE COUNTY PROPERTY OWNERS

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**INITIAL BRIEF ON EXCEPTIONS OF THE
MOULTRIE COUNTY PROPERTY OWNERS**

COME NOW the Moultrie County Property Owners (“MCPO”), by their attorneys, Lueders, Robertson & Konzen, LLC, and pursuant to 83 Ill. Adm. Code Part 200.830 and Section 10-111 of the Public Utilities Act (the “Act” or “PUA”), (220 ILCS 5/10-111), offer the following Brief on Exceptions (“BOE”) to the Administrative Law Judges’ (“ALJs”) Proposed Order (“PO” or “Proposed Order”) dated July 3, 2013.¹

I.

INTRODUCTION

MCPO agrees with and supports certain portions of the Proposed Order as they relate to the adoption of MCPO’s Route MZK. However, MCPO, having executed a Stipulation with ATXI that contemplated the approval of a routing combination consisting of ATXI’s Primary Route from Pana to Mt. Zion, ATXI’s proposed location of the Mt. Zion substation and MCPO’s Route MZK from Mt. Zion to Kansas, MCPO respectfully takes exception to the Proposed Order’s failure to approve in full the ATXI/MCPO Stipulated Route. Specifically, MCPO takes exception to the Proposed Order’s failure to approve ATXI’s Primary Route from Pana to Mt. Zion and ATXI’s proposed location of the Mt. Zion substation. (Exception # 1). MCPO takes exception to the Proposed Order’s lack of approval of the location of the Mt. Zion substation together with Route MZK. (Exception # 2). MCPO recommends clarification of the Proposed Order’s correct decision to adopt

¹ MCPO will refer to Ameren Transmission Company as “ATXI” or “Company”.

MCPO's Route MZK and issuance of a Certificate of Public Necessity and Convenience therefor. (Exception # 3).

Though MCPO may not discuss in this Brief on Exceptions a specific issue that was addressed in its Initial or Reply Briefs, MCPO should not be considered to have abandoned or waived that issue. MCPO continues to support and rely on the arguments made in its Initial Brief of June 3, 2013 ("Initial Brief") and its Reply Brief of June 10, 2013 ("Reply Brief"), unless specifically stated otherwise herein.² MCPO sets forth its suggested language for modifying the Proposed Order in Attachment A to this Brief on Exceptions.

VI.

LEAST-COST AND THE PROPOSED LINE ROUTES

F. Pana-Kansas

1. Location of Mt. Zion Substation

The Proposed Order finds that while the Mt. Zion substation is needed, its exact location is "less certain". (PO at 85). Therefore, while it recommends that the Commission conclude the substation is needed, it also recommends that the Commission not approve the exact location of the substation at this time. (*Id.*). The Proposed Order also finds that the uncertainty over the location of the new Mt. Zion substation does not keep the Commission from selecting a new 345 kV line from Mt. Zion to Kansas, noting that one of the three possible routes for that segment of the line

² MCPO uses the captions from the Proposed Order in its Brief on Exceptions. It uses only those captions relevant to the issues it addresses in this Brief on Exceptions (BOE). The page references are to the PDF version of the Proposed Order available through the Commission's e-docket system.

“rises above the other two and warrants selecting regardless of the ultimate location of the Mt. Zion substation.” (PO at 85).

MCPO continues to support ATXI’s proposed location of the Mt. Zion substation as part of the ATXI-MCPO Stipulated Route from Pana to Kansas. (*See*, Stipulation Ex. 7). That Stipulated Route consists of the ATXI Primary Route from Pana to Mt. Zion, the Mt. Zion substation as located by ATXI, and MCPO’s Route MZK.

The record in this case demonstrates that the Mt. Zion substation needs to be located relatively close to the Decatur area in order to effectively address reliability concerns in that area. ATXI witness Kramer presented the results of a power flow analysis that demonstrated locating the Mt. Zion substation further south and closer to Pana, as suggested by the Staff, would not adequately address the Decatur area reliability concerns. (Kramer, ATXI Ex. 11.0 (Rev.) at 7-8:138-178). The ATXI power flow analysis showed that location of the substation further south as proposed by Staff would result in inadequate voltage support from the Mt. Zion substation for the Decatur area. (Kramer, ATXI Ex. 11.0 (Rev.) at 8:164-176). Furthermore, as MCPO’s witness Mr. Dauphinais, has testified that “. . . post-Event voltage drops in the Decatur area are driven by reactive power needs and reactive power cannot be practically transmitted very far from its source.” (Dauphinais, MCPO Ex. 1.0 at 55:1204-1206). If the reactive power needs of the Decatur area are to be met from the Mt. Zion substation, and its associated 345 kV transmission lines, the substation must be located relatively close to the Decatur area as proposed by ATXI.

ATXI has also demonstrated that in building new transmission facilities, it tries to arrange

its system electrically and physically to maximize the flexibility needed to respond to potential future needs. The ATXI Mt. Zion substation location is an example of that approach because it will reduce the cost of integrating the substation into a possible 345 kV “ring” around Decatur, if justified by future load growth. (Kramer, ATXI Ex. 11.0 (Rev.) at 8-9:180-188).

While MCPO agrees with the PO’s recommended approval of at least the portion of the MZK Route from the Macon/Piatt County border to Kansas substation, MCPO respectfully suggests the PO does not go far enough in its recommendation. At a minimum, the Proposed Order should have recommended approval of the location of Mt. Zion substation and the entire length of MZK Route from Mt. Zion substation to Kansas. The Proposed Order finds the Mt. Zion substation is necessary. (PO at 85). As discussed above, the record clearly supports that Mt. Zion substation cannot be relocated very far from for ATXI’s proposed location for the substation. This is because the location of Mt. Zion substation is not so much dictated by the location of the 345 kV transmission lines that would serve it, but rather by the local voltage support it needs to provide to the Decatur area load. Thus, even if the Commission were to both: (i) adopt the Proposed Order’s recommendation to not grant a certificate for the Pawnee to Pana and Pana to Mt. Zion portion of the Illinois Rivers Project (“Project”) and (ii) later instead grant a certificate for a 345 kV transmission line from Kincaid to Mt. Zion as a substitute for the Pawnee to Pana and Pana to Mt. Zion portions of the Project³, it would require little, likely no, change in the location of the proposed Mt. Zion substation. As

³ By this statement MCPO is not suggesting the Commission should not approve the ATXI/MCPO Stipulated Route from Pana substation to Mt. Zion substation. On the contrary, as demonstrated elsewhere in this BOE, the MCPO continues to support and recommend the Commission grant a certificate for that route segment.

discussed in both in the rebuttal testimony of ATXI witness Kramer and ATXI's Reply Brief, (Kramer, ATXI Ex. 11.0 (Rev.) at 7-9:138-196; ATXI R. Br. at 59-60), the location of Mt. Zion substation cannot be moved significantly south of ATXI's proposed location.

For the reasons stated above, MCPO recommends the Proposed Order be modified, thereby avoiding unnecessary further litigation, to approve and grant a certificate for the entire ATXI/MCPO Stipulated route from Pana to Mt. Zion to Kansas, or, alternatively, to approve the location of Mt. Zion substation and the entire length of the MCPO MZK Route from Mt. Zion to Kansas. Notwithstanding, at an absolute minimum, the Commission should approve and grant a certificate for the portion of the MCPO MZK Route from the Macon/Piatt County border to Kansas substation as recommended by the Proposed Order since, as MCPO has noted, if the location of Mt. Zion substation changes, it cannot be very far from Decatur and, thus, by association, the Macon/Piatt County Border to Kanas substation portion of the MCPO MZK Route. The reactive power needs of Decatur drive the need for the Mt. Zion substation in the Decatur area. That in turn requires that the substation remain relatively close to Decatur and since the 2nd 345 kV line to the Mt. Zion substation will come from an area to the south of Decatur whether it comes from Pana or Kincaid, keeping the proposed Mt. Zion substation at its current location or very close to it is the likely outcome.

2. Pana to Mt. Zion

The Proposed Order recommends that the Pawnee to Pana and Pana to Mt. Zion segments of the Illinois Rivers Project ("Project") not be approved until such time as a potential alternate

routing from Pawnee to Kincaid to Mt. Zion can be investigated. (*See*, PO at 83). MCPO did not address the merits of the Pawnee to Pana segment of the Project. It does not intend to do so here. However, it notes that the Proposed Order's recommendations that the Commission not issue a Certificate of Convenience and Public Necessity for these project segments is based on the assumption that a possible alternative to these two project segments was not considered by ATXI and MISO. (*Id.*). MCPO relies on ATXI and/or MISO to respond to this assumption. Furthermore, it does not appear that any party to this proceeding presented testimony in support of a possible Pawnee to Kincaid to Mr. Zion routing. The first suggestion of such a routing came in Staff's Initial Brief in this proceeding. (Staff Br. at 41).

MCPO continues to support the Stipulated ATXI-MCPO Route from Pana to Mt. Zion, which includes the ATXI Primary Route from Pana to Mt. Zion for the reasons stated in its Initial Brief and Reply Brief. (MCPO Br. at 17-24; MCPO R. Br. at 3). The ATXI Primary Route, a part of the ATXI/MCPO Stipulated Route, is favored by all the parties, but one, that addressed this segment of the Project. (*See*, ATXI R. Br., Table at 31). In particular, MCPO notes that Staff supports the ATXI Primary Route over the ATXI Alternate Route and the other route alternatives suggested from Pana to Mt. Zion, assuming that line segment is ultimately needed. (*See*, Staff R. Br. at 13-14).

Generally, the ATXI Primary Route from Pana to Mt. Zion is four miles shorter than ATXI's Alternate Route, requires less tree removal and had a lower dollar cost than the Alternate Route. In rebuttal, ATXI recommended the Primary Route because it reduced the potential for environmental

impacts and best reflected input from ATXI's public process. (Murphy, ATXI Ex. 4.3 (Pt. 2 of 5) at 5 of 10; Murphy, ATXI Ex. 13.0 (2nd Rev.) at 50:1079-1085).

MCPO witness Dauphinais supported the Primary Route, in comparison to ATXI's Alternate Route, after noting that the high sensitivity routing factors identified in ATXI's public process did not greatly differentiate between the two routes. He made his recommendation because the ATXI Primary Route from Pana to Mt Zion was cheaper in dollars and cents and made better use of existing linear opportunities. (Dauphinais, MCPO Ex. 1.0 at 43:940-955).

For these reasons, and for the reasons stated in its Initial and Reply Briefs, MCPO continues to support and recommend approving the ATXI Primary Route as part of the ATXI/MCPO Stipulated Route.

3. *Mt. Zion to Kansas*

The Proposed Order correctly approves Route MZK on its merits. (*See*, PO at 97-99). MCPO, as noted above, supports that determination, however, it continues to support the adoption of ATXI's proposed Mt. Zion substation location and the ATXI Primary Route from Pana to Mt. Zion, as part of the ATXI/MCPO Stipulated Route, together with MCPO Route MZK. The Proposed Order should be modified to adopt the ATXI/MCPO Stipulated Route (with all of its components), for the reasons stated in the MCPO Initial Brief and MCPO Rely Brief. (MCPO Br. at 10-13 (discussing ATXI/MCPO Stipulated Route), 17-24 (discussing Pana to Mt. Zion), 24-36 (discussing Mt. Zion to Kansas); MCPO R. Br. at 2-3 (discussing Pana to Mt. Zion), 3-32 (discussing Mt. Zion to Kansas)).

In the alternative, if the Commission concludes that it will not approve a route for the Pana to Kansas portion of the Project, and will not approve the exact location of the Mt. Zion substation, then the Proposed Order should be modified to clarify that one of the reasons the Commission is able to approve MCPO Route MZK as recommended in that Proposed Order, is because the Mt. Zion substation needs to be located in close proximity to Decatur and cannot be moved 30 miles south as proposed by the Staff. Therefore, the exact location of the Mt. Zion substation may be different, but it is not anticipated to change significantly relative to its proximity to Decatur or the portion of MCPO Route MZK from the Macon/Piatt County border to the Kansas substation. (See, Sec. VI.F.1. above).

CONCLUSION

For all the reasons stated above, the Proposed Order should be modified as specifically recommended in Attachment A containing MCPO's proposed language for this Brief on Exceptions.

Respectfully submitted,



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